

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

COTTONTAIL PLAZA, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Corporation Franchise :
Taxes under Article ~~(x)~~ 9A of the :
Tax Law for the Year(s) ~~xxx~~ Period(s) :
1971-1973

State of New York
County of Albany

John Huhn , being duly sworn, deposes and says that
~~he~~ is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 21st day of September , 1978, ~~he~~ served the within
Notice of Short Form Order by ~~(xxxxxx)~~ mail upon Michael J. Close

(representative of) the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
Michael J. Close, Esq.

as follows: Dewey, Ballantine, Bushby, Palmer & Wood
140 Broadway
New York, New York 10005

and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative
of the) petitioner herein and that the address set forth on said wrapper is the
last known address of the (representative of the) petitioner.

Sworn to before me this

21st day of September , 1978.





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

COTTONTAIL PLAZA, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Corporation Franchise :
Taxes under Article (x) 9A of the :
Tax Law for the Year(s) ~~xxx~~Period(s) :
1971-1973

State of New York
County of Albany

John Huhn , being duly sworn, deposes and says that
~~she~~ is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 21st day of September , 1978, ~~she~~ served the within
Notice of Short Form Order by ~~(certified)~~ mail upon Cottontail Plaza, Inc.

~~(representative of)~~ the petitioner in the within proceeding,

by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
Cottontail Plaza, Inc.

as follows: c/o John M. Friedman
1 Garden Road
Scarsdale, New York 10583

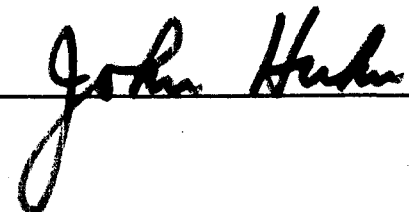
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~(representative of)~~
~~xxx~~ petitioner herein and that the address set forth on said wrapper is the
last known address of the ~~(representative of the)~~ petitioner.

Sworn to before me this

21st day of September , 1978.







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

September 21, 1978

TELEPHONE: (518)457-1723

**Cottontail Plaza, Inc.
c/o John M. Friedman
1 Garden Road
Scarsdale, New York 10583**

Dear Mr. Friedman:

**Please take notice of the SHORT FORM ORDER of the
State Tax Commission enclosed herewith.**

Very truly yours,

**Aloysius J. Mendza
Assistant Director**

Enclosure

cc: Petitioner's Representative

Taxing Bureau's Representative

STATE OF NEW YORK
STATE TAX COMMISSION

IN THE MATTER OF THE PETITION OF :

COTTONTAIL PLAZA, INC. :

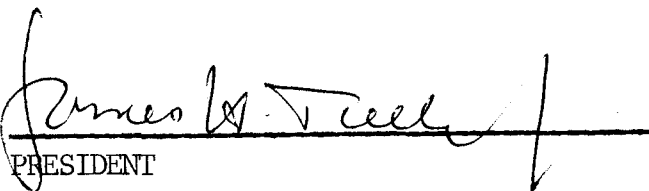
for Redetermination of a Deficiency of Corporation :
Franchise Tax under Article 9A of the Tax Law for :
the years 1971-1973 :

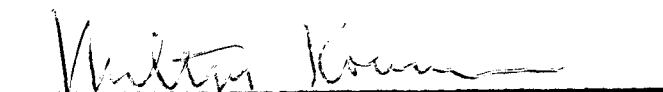
SHORT FORM ORDER

Petitioner's motion for a default decision upon the ground that the Law Bureau failed to file an answer within 60 days pursuant to Section 601.6(a) of the Rules of Practice is denied in view of the fact that the petition was filed on April 11, 1975, and the Rules of Practice in effect at that time made no mention of nor imposed any requirement that an answer to a petition be served.

Dated: Albany, New York
September 21, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER